

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION**

UNITED STATES OF AMERICA,

Plaintiff,

v.

JACOB A. KANATZAR,

Defendant.

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No. 4:24-cr-00067-DGK

**ORDER ADOPTING THE MAGISTRATE’S REPORT AND RECOMMENDATION
DENYING DEFENDANT’S MOTION TO DISMISS**

Now before the Court is Defendant Jacob A. Kanatzar’s Motion to Dismiss Indictment and Request for Hearing, ECF No. 22, and United States Magistrate Judge Jill A. Morris’ Report and Recommendation, ECF No. 26, recommending the Court deny the motion. Neither party has objected and the time to do so has passed.

Defendant seeks dismissal of the Indictment on grounds that his actions were justified as self-defense. After reviewing the report and conducting an independent review of the applicable law and record, *see* L.R. 74.1, the Court agrees with the Magistrate’s thorough and well-reasoned opinion holding that the applicability of a defense is an issue reserved for trial. Accordingly, the Court ADOPTS the Report and Recommendation and DENIES Defendant’s motion.

IT IS SO ORDERED.

Date: June 25, 2024

/s/ Greg Kays
GREG KAYS, JUDGE
UNITED STATES DISTRICT COURT